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The Manitoba Human Rights Commission  
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# Human Rights From Manitoba

A Newsletter Of Human Rights Developments In Manitoba

Volume 1, Number 10, Spring, 2000

THE MANITOBA  
HUMAN RIGHTS  
COMMISSION



L'COMMISSION DES  
DROITS DE LA PERSONNE  
DU MANITOBA

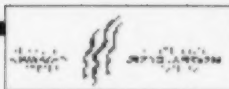
**March 21, 2000: the new millennium's first International  
Day For The Elimination of Racial Discrimination**



*More than 300 students from the Brandon School Division and Sioux Valley School join hands at Brandon's Keystone Centre to support stopping racism. Photo by Bruce Bumstead/courtesy The Brandon Sun.*

## **Inside this issue:**

*Human Rights Day, 1999 and The International Day For The Elimination of Racial Discrimination, 2000: what happened in Manitoba. Also: Human Rights Journalism Awards and the CLEA Human Rights Award...New pre-complaint settlements...Two long time Commission staff recognized...find out about our mediation programme...and more!*



Above, in recognition of the International Day, bumper stickers for all marked RCMP patrol cars in Manitoba were presented to the RCMP by the Hon. Gord Mackintosh, Minister of Justice (front left) to Assistant RCMP Commissioner Tom Egglestone (front right). Back row: Corp. Sam Anderson, Const. Jayson Hansen, Corp. Davie Lee. Below, banner displayed during Brandon event. Photos courtesy RCMP, Brandon Commission staff.



## RED RIVER COLLEGE • ANNUAL International Day for the Elimination of Racial Discrimination

1991 1992 1993 1994

Voyageur Cafeteria • 11 am - 1 pm

RED RIVER  
COLLEGE



This poster was developed by Marilyn Bahry, Red River College Print and Graphic Centre. The original was spectacular, with the woman's face having many colours. In her glasses are images of people holding hands, their arms up high.

## 1999's Human Rights Day

### in The Pas...

by Elizabeth Bennett

On December 13, 1999 I attended an Amnesty International event which acknowledged Human Rights Day. The event included a session dealing with letter writing. The letter writing is in support of "prisoners of conscience" around the world who are detained, imprisoned or tortured because of race, religion or nonviolent political beliefs. The prisoners I wrote to were in Peru, Egypt and the People's Republic of China.

On the morning of December 10, 1999 an open house was held in the Brandon Provincial Building. Coffee and donuts were provided by the Manitoba Human Rights Commission. Approximately 50 people attended this event.

A candle-lighting ceremony took place at 10 a.m., when City Councillor Marion Robinson, who had previously been a Commissioner with the

### ...in Brandon

by Pat Daniels

Commission, lit a candle and spoke of International Human Rights Day.

People attended from such agencies as the Brandon Friendship Centre, the City of Brandon, Brandon University, MACSW, MGEU, CUPE, the John Howard Society, the Youth Employment Centre, Assiniboine Community College and the media. Of course, a number of people also attended as interested individuals.



Posters by elementary school children from Portage la Prairie's Neighborhood Connections.



From a Portage la Prairie March 21 event, organized by the RCMP. Above, from left: Const. Colin Wilcox, Const. Lil Figgins, Ms. Kim Burkin, Const. Jim Mirza. Photo: Jason Halstead/courtesy The Daily Graphic.

A significant March 21 effort was organized by the Royal Canadian Mounted Police this year, with events across

## ...and March 21 in Portage la Prairie

Manitoba, including in Oakbank, Winnipeg, Neepawa,

Carberry, Dauphin and Brandon. A moving display was set up in the Portage la Prairie mall, featuring prize winning posters from young people contributed especially for the day.



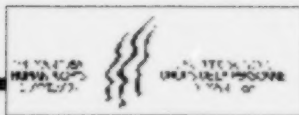
Anti-racism posters by residents of Agassiz Youth Centre. Photos of all posters by Const. Lil Figgins.



From the RCMP press release: On March 21, 1960 in Sharpeville, South Africa a peaceful protest against apartheid came to a tragic end when police opened fire on demonstrators, killing 70 people and wounding an additional 180. To memorialize this intolerable event, and to encourage and promote harmonious race relations, the United Nations declared March 21 as The International Day for the Elimination of Racial Discrimination.

In 1993, the Minister of Justice of Manitoba announced that all marked police units in the Province would display a bumper sticker showing the police service supported the Canadian Centre for Police Race Relations. This initiative is unique to Manitoba.

On this day, we recognize the impact racial discrimination has had on our history, causing us to remember the need for continuous improvements in our multicultural society. Many detachments throughout the Division will host open houses and participate in school and community events to recognize this day.



*David Matas receives CLEA's Human Rights Achievement Award from CLEA Past President Diane Dwarka*



*CLEA Panel discussion on Human Rights Education and Lawmakers. L to R: Karen Busby, moderator Eliot Leven, Allan Borovoy.*

## CLEA's 1999 Human Rights Day Event

To mark Human Rights Day, 1999 the *Community Legal Education Association* in Winnipeg hosted its annual event, including a dinner, keynote address and a day of workshops.

The CLEA Human Rights Achievement Award was presented to David Matas, in recognition of his long-standing commitment to human rights on the local, national and international stages.



*Back (l to r): David Matas, Ed Feuer, Scott Gibbons, Rt. Hon. Peter Liba. Front (l to r): Shauna G. Jackson, Tom Tamblyn, Louise Charette*



*Louise Charette, CBC Radio Human Rights Journalism Award*



*Tom Tamblyn*

# The 1999 Human Rights Journalism Awards

*The Manitoba Human Rights Commission, The Winnipeg Press Club and The Community Legal Education Association are pleased to announce the recipients of the Thirteenth Annual Human Rights Journalism Awards:*

**PRINT/SMALL CIRCULATION: SHAUNA G. JACKSON  
(SWAN VALLEY STAR AND TIMES)**

*for Tom Tamblyn: seeing things in a new light.*

**PRINT/LARGE CIRCULATION: ED FEUER  
(WINNIPEG SUN)**

*for Winnipeg won't buy line of anti-gay hate.*

**RADIO: LOUISE CHARETTE (CBC - THE  
MORNING SHOW)**

*for No Safe Haven.*

**TELEVISION: JOHN PASKIEVICH (NATIONAL FILM  
BOARD/VISION TV)**

*for Gypsies of Svinia.*

**HONOURABLE MENTION**

**PRINT/SMALL CIRCULATION: SCOTT GIBBONS  
(BRANDON SUN)**

*for Down in the dumps.*

Recipients of Awards demonstrated both excellence in reporting and relevance to human rights issues. Decisions on awards were made by an independent panel of judges.

*Photos on these pages courtesy of CLEA.*



*Ed Feuer, Winnipeg Sun receives a Human Rights Journalism Award from Commissioner Lionel Moore. Behind them: Diane Dwarka of CLEA and Jane Graham of The Winnipeg Press Club.*



*Scott Gibbons, Brandon Sun receives Human Rights Journalism Award*



*Shauna G. Jackson, Swan Valley Star and Times Human Rights Journalism Award*





# Pre-complaints: resolved *without* a complaint

## **Absences partly for childcare**

The Complainant, a single mother, believed she was fired in part because of absences related to child care. The Respondent agreed to put her in a different position with fewer hours. If she proves reliable, she will be considered for full-time work. The Complainant accepted this offer.

## **Settlements must be honoured**

The Complainant had been sexually harassed in the workplace. Although she thought the issue had been resolved, after five months the Respondent still had not provided the promised education for its staff. Although she could have proceeded with her complaint because the original settlement had not been followed, she accepted a renewed commitment by the employer to accept Commission education sessions within a specific time period.

## **Accommodation for illness**

The Complainant alleged that, in spite of two doctors' letters, her employer had not responded to her request to work only day shifts to help manage her medical/psychological condition. Two days after the Commission contacted the employer, she was placed on day shift, and she considered the matter resolved.

## **Breast-feeding in a class**

The Complainant, a student at a College, was also a new mother. She alleged she was removed from a seminar because she nursed her baby in the classroom. The College responded that the baby was removed because other students had complained that the baby made distracting noises. The Complainant was provided with a full refund for the course and was satisfied with the explanation of why she was removed.

## **Termination based on disability?**

The Complainant is under five feet tall. When she was terminated the day after she was hired, she alleged she lost her job because of her height. However, the employer said the anticipated work hours were not available. The Complainant was to be the first worker given employment when hours increased.

## **Fired for age?**

The Complainant, in her late fifties, alleged she was fired because of her age. Her former employer said her job had been eliminated through automation and the use of volunteers. She was offered but refused training programmes. The Complainant accepted this information.



### **Access to offices**

The Complainant, a physician, was concerned that the building where her offices were located was not accessible for many of her clients, in that the front doors were difficult to open for people who had certain disabilities. After being contacted, the management concern which owned the building agreed to replace the front doors with automatic ones. The new doors have now been installed. The Complainant accepted this outcome.

### **Designated parking spaces**

The Complainant has a mobility disability. One day he found that several cars parked in spaces reserved for people with disabilities at a Community Centre did not have the required permits. He drove to a security person, heatedly pointed out the improperly parked cars, was told to leave and was later banned from the Centre. The Complainant alleged he was banned because he had raised the issue of monitoring use of the parking spaces reserved for people who have certain disabilities.

The Community Centre advised that it was the Complainant's anger and use of "colourful language" which led to his being banned. They lifted the ban and agreed to work harder to ensure handicapped spaces were used appropriately.

### **Hearing impaired at work**

The Complainant, who is deaf, was concerned about the lack of sign language interpreters when management spoke formally to himself and other departmental staff. After contact, the company arranged to have signing interpreters present when dealing with performance appraisals and other important issues.

### **Courses as accommodation**

The Complainant was on Long Term Disability. She asked to take several courses which would help her return to work, but was denied. Following contact from the Commission, the Complainant was approved for several courses she had selected.

### **Teacher responsibilities**

The Complainant is of Aboriginal descent. His daughter told him that during a student debate at school negative remarks were made about him specifically and Aboriginal peoples in general. Two teachers were present during the debate, but neither stopped it nor corrected the inappropriate remarks. A settlement of \$2500 was agreed upon, along with a workshop for teachers in the school about their responsibilities, and educational programmes for the students about Aboriginal peoples.



## Two long time employees recognized



### Donna May

I started employment with the MHRC on November 25, 1974. Ed Schreyer was Premier at that time. The legislation was only three years old and still quite unknown. Marital status and family status had just been added under housing. I've seen the legislation grow and change over the years, adding physical and mental disabilities, sexual orientation, pregnancy and sexual harassment. I have always enjoyed typing letters and memos on the case files, and following them through to a conclusion. Now, with computers, I do much less input of letters and memos and so am unable to follow cases as I used to. I have moved into the Accounting duties, so now I follow numbers instead. The other enjoyable areas have been to watch co-workers and their families grow over the years. Many of the staff have worked here a good number of years. I hope to be able to retire at age 55, so I may further enjoy my love of travel.

### Elizabeth Ann Bennett

I began employment with the Province on July 2, 1966, and started with the Commission in 1972. I am the Regional Intake Officer. My job involves assessing possible new complaints, and then starting a complaint where appropriate. Our office handles inquiries of all sorts and makes referrals to other areas. I am very interested in helping people anywhere. It's been a privilege to represent the Human Rights Commission and the Dept. of Justice in the North.

My outside interests include reading and gardening--I am known in Northern Manitoba for my love of roses. I am committed to supporting missionary work and am involved in the Alliance Church, which is a Christian and Missionary church in The Pas. I also enjoy writing poetry.

There were so many people who helped me along the way and I really appreciated them. In particular, I would like to mention my parents and especially my Dad. Also my husband, Ivan, and son, Jason who see me live my life before them and let me be me, and last but not least the management at the Human Rights Commission for their support.







Long term resolutions to a complaint are usually best when they come directly from the parties. That is one reason why we have a mediation process.

After intake, the file is forwarded to our mediation team (currently Lorrie Birtles and Jean Boyes). In about twenty-five percent of the cases, the parties are interested in mediation. The remaining cases proceed to investigation. Where mediation is undertaken, virtually *all* cases are resolved, either in face-to-face meetings or shuttle negotiations.

Mediation is conducted on a without prejudice, confidential basis. It requires both parties giving up part of a day to physically meet at the Commission. Half the mediations involve the parties being in the same room, half in separate rooms with shuttle negotiations facilitated through the mediators going from room to room.

For the Complainant, mediation can be a very empowering experience. For the Respondent, it is also empowering to negotiate settlement proposals and to have an alternative to investigation.

Here are two successful mediations:

### **Adoption LINKS**

*All mediations are confidential. The parties agreed to shed confidentiality for this article.*

A member of the *LINKS Post Legal Adoption Support Group Inc.* filed a complaint against current Provincial legislation, alleging that the law dis-

criminate against adopted children by denying or limiting access to medical information about their birth parents. Such information usually involves hereditary diseases and conditions.

The Department of Family Services and Housing agreed to mediation.

Although it believed that the new law allowed for greater sharing of information than in the past, the Department agreed to promote dialogue between *LINKS* and the Post-Adoption Registry.

It will also include *LINKS* in the consultation process to develop case manage-

ment standards for adoption and post-adoption services.

### **Sexually harassed**

*All mediations are on conducted on a neutral, without prejudice basis. The Complainant's allegations are neither investigated nor proven.*

A woman alleged that after several years of employment with a company, the two owners of the company began to sexually harass her, including repeated touching and sexual propositions. After each incident she objected, but they would not stop. Finally she quit.

Initially she was very apprehensive about the mediation process. She was

concerned about being intimidated, but very much wanted to face the two men to tell them how their harassment had affected her. When working for her harassers she could not easily confront them. This often happens where the woman can not afford to lose her job.

We are sensitive to issues of power imbalances in the mediation process. The mediator carefully assesses the ability of both parties to participate. In this case, the mediator reassured the Complainant that all parties are required to adhere to behavioural guidelines ensuring the meeting is conducted in a respectful manner.

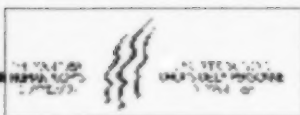
Difficulty in controlling emotion is one reason why some parties engage in face-to-face mediation, while in other cases they are in separate rooms. To

help ensure the process is fair, the parties may also have other people present for support or advice, (providing it does not create a power imbalance).

At the conclusion of the process, the Complainant felt empowered, having finally confronted her harassers to tell them how their behaviour had affected her. The employers said the process had been effective in resolving the allegations, both from a personal and business perspective.

The parties' settlement involved the Respondent providing \$1,000 for lost wages and \$7,000 for general damages. The Respondents also attended an educational workshop on human rights.

# Mediation



## Our new phone services

In the past, people who called the Commission spoke with a busy receptionist who would forward their call, take a message or provide information. But one person can only do so much.

To improve service, we adopted a new phone system for our Winnipeg office. Now there are no busy signals, there are automatic transfers for service in French, and we provide answers to frequently asked information in an easy-to-use format.

In our new system, Intake calls are automatically routed to the first available Officer. Should a message have to be taken, callers can leave detailed voicemail messages. The

phone service in Winnipeg also uses the resources of our offices in Brandon and The Pas, to help ensure



callers receive direct service as quickly as is possible. *Please see below for our phone numbers.*



## Employer seminars

A full day, business-oriented seminar specifically for employers, to answer questions on topics including employers' rights, pregnancy, dress codes, sexual harassment, and accommodating religions and disabilities. Print materials provided. Atmosphere is confidential and informal.

**Cost: \$25 (includes lunch and lifestyle breaks).** Call 945-3007 to register or find out more!

**New Seminars on:**

**June 14, Sept. 20,  
Nov. 1**

**Winnipeg  
Norwood Hotel  
8:30 AM - 4 PM**

**A Vision  
of all  
Manitobans  
Living in  
Harmony  
and Mutual  
Respect**



**International Day  
for the Elimination of  
Racial Discrimination  
MARCH 21**



*Bookmark produced by Manitoba Labour, Citizenship and Multiculturalism Division, developed in cooperation with CLEA and the Commission. The original bookmark was created in March, 1993. This is the third version. It is available to schools, libraries and other organizations raising issues on racism and multiculturalism.*

### **Human Rights From Manitoba**

*is a publication of The Manitoba Human Rights Commission.*

*Editor: Victor Schwartzman. Our sincere thanks to Translation Services (Department of Culture, Heritage and Tourism) for its excellent service. Write us at: 7th Floor 175 Hargrave Street Wpg MB R3C 3R8. In Winnipeg, phone 945-3007, toll free 888-884-8681. In Northern Manitoba, 627-8270 (The Pas), toll free: 1-800-676-7084. For Western Manitoba, 726-6261 (Brandon), toll free: 1-800-201-2551. Our website: [www.gov.mb.ca/hrc](http://www.gov.mb.ca/hrc). Want to be on our mailing list? Please call today!*